

AGENDA

Board of Directors Meeting

October 7, 2009

Start Time: 9:30 a.m.

LOCATION

**San Bernardino Associated Governments
Santa Fe Depot - SANBAG Lobby 1st Floor
1170 W. 3rd Street, San Bernardino, CA**

Board of Directors

President

Paul Eaton, Mayor
City of Montclair

Vice-President

Brad Mitzelfelt, Supervisor
County of San Bernardino

Charley Glasper, Mayor
City of Adelanto

Rick Roelle, Mayor
Town of Apple Valley

Julie McIntyre, Mayor Pro Tem
City of Barstow

Bill Jahn, Mayor Pro Tem
City of Big Bear Lake

Dennis Yates, Mayor
City of Chino

Gwenn Norton-Perry, Council Member
City of Chino Hills

Kelly Chastain, Mayor
City of Colton

Mark Nuaimi, Mayor
City of Fontana

Bea Cortes, Council Member
City of Grand Terrace

Mike Leonard, Council Member
City of Hesperia

Larry McCallon, Council Member
City of Highland

Rhodes "Dusty" Rigsby, Mayor Pro Tem
City of Loma Linda

Jeff Williams, Mayor
City of Needles

Alan Wapner, Council Member
City of Ontario

Diane Williams, Council Member
City of Rancho Cucamonga

Patricia Gilbreath, Mayor Pro Tem
City of Redlands

Ed Scott, Council Member
City of Rialto

Patrick Morris, Mayor
City of San Bernardino

Jim Harris, Council Member
City of Twentynine Palms

John Pomierski, Mayor
City of Upland

Ryan McEachron, Council Member
City of Victorville

Richard Riddell, Mayor
City of Yucaipa

William Neeb, Council Member
Town of Yucca Valley

Gary Ovitt, Supervisor
County of San Bernardino

Paul Biane, Supervisor
County of San Bernardino

Neil Derry, Supervisor
County of San Bernardino

Josie Gonzales, Supervisor
County of San Bernardino

Ray Wolfe, Caltrans
Ex-Officio Member

Deborah Robinson Barmack
Executive Director

San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.

In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:

***The San Bernardino County Transportation Commission**, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.*

***The San Bernardino County Transportation Authority**, which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.*

***The Service Authority for Freeway Emergencies**, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.*

***The Congestion Management Agency**, which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.*

***As a Subregional Planning Agency**, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.*

Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.

**San Bernardino Associated Governments
County Transportation Commission
County Transportation Authority
County Congestion Management Agency
Service Authority for Freeway Emergencies**

Board of Directors

AGENDA

**October 7, 2009
9:30 a.m.**

Location:

**San Bernardino Associated Governments
Santa Fe Depot
SANBAG Lobby, 1st Floor
1170 W. 3rd Street, San Bernardino**

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional meeting procedures and agenda explanations are attached to the end of this agenda.

Call to Order - 9:30 a.m. by Mayor Paul Eaton

- I. Pledge of Allegiance
- II. Attendance
- III. Announcements:
 - Calendar of Events (Pg. 12)
- IV. Agenda Notices/Modifications – Vicki Watson

**1. Possible Conflict of Interest Issues for the Board Meeting of Pg. 13
October 7, 2009**

Note agenda item contractors, subcontractors and agents, which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

Notes/Actions:

Consent Calendar

Items listed on the Consent Calendar are expected to be routine and non-controversial. These items have been discussed at SANBAG Policy Committee meetings and made available for public review as noted in the agenda. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Member Request. Items pulled from the consent calendar will be brought up under Agenda Item 23.

Administrative Matters

2. **Board of Directors Attendance Roster** Pg. 15
3. **Procurement Report for August 2009** Pg. 19
Receive Monthly Procurement Report. **William Stawarski**
This item has not received prior policy committee review.

Regional & Quality of Life Programs

4. **Award of Freeway Service Patrol (FSP) Tow Services Contracts** Pg. 21
Award two contracts for FSP tow services:
1. Contract No. C10081 to Roy & Dot's Truck Specialties, Inc., for FSP Beat No. 4, for a three-year period, not-to-exceed \$553,500, as well as two one-year options, as outlined in the Financial Impact Section below;
2. Contract No. C10080 to JLM Towing Services, Inc., for FSP Beat No. 8, for a three-year period, not-to-exceed \$547,965, as well as two one-year options, as outlined in the Financial Impact Section below.
Michell Kirkhoff
This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on September 9, 2009. The two contracts have been reviewed as to form by SANBAG legal counsel.

Subregional Transportation Planning & Programming

5. **Amendment No. 4 to Contract 04-058 with Parsons Transportation Group for preparing the Long Range Transit Plan for San Bernardino County** Pg. 44
Approve amendment No. 4 to Contract 04-058 with Parsons Transportation Group, extending the Time of Performance until completion no later than December 2010. **Mitchell Alderman**
This item was reviewed by the Commuter Rail Committee on September 10, 2009 and unanimously recommended for approval.

Consent Calendar Continued....

Subregional Transportation Planning & Programming (Cont.)

6. **Big Bear Modal Alternatives Analysis Memorandum of Understanding (MOU) No. C10086 among San Bernardino Associated Governments, the Inland Valley Development Agency, and the Southern California Association of Governments** Pg. 49

1) Approve MOU (Agreement No. C10086) with the Inland Valley Development Agency and the Southern California Association of Governments for joint funding and management of the Big Bear Modal Alternatives Analysis.

2) Approve budget amendment to Task No. 40410000, Subregional Planning, in the amount of \$125,000, for a total budget of \$285,744 as specified in the Financial Impact Section. **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on September 9, 2009 and the Mountain/Desert Policy Committee on September 25, 2009.

7. **Programming of Mojave Desert Air Basin (MDAB) Congestion Mitigation Air Quality (CMAQ) Funds** Pg. 65

1) Receive status report on project types to receive programming consideration for MDAB CMAQ funds.

2) Receive report on Program Opportunity Notice results. **Ty Schuiling**

This item was reviewed with provision for continued consideration for paving of dirt roads by Mountain/Desert Policy Committee on September 25, 2009.

8. **Status Report, 2012 Regional Transportation Plan (RTP) Growth Forecast and Senate Bill 375 (SB375) Implementation** Pg. 68

Report on 2012 RTP growth forecast preparation and SB375 implementation status. **Ty Schuiling**

This item was reviewed by the Plans and Program Policy Committee on September 9, 2009 and the Mountain/Desert Policy Committee on September 25, 2009

9. **San Bernardino Valley Traffic Signal Synchronization Program Tier 1 & 2 Final Report** Pg. 73

Receive information on San Bernardino Valley Coordinated Traffic Signal System Plan Tier 1 & 2 Final Report (Executive Summary attached) **Ty Schuiling**

This item was reviewed by the Plans and Programs Policy Committee on September 9, 2009.

Consent Calendar Continued....**Subregional Transportation Planning & Programming (Cont.)**

10. **Deprogramming of Unobligated Surface Transportation Program (STP) and Congestion Mitigation/Air Quality (CMAQ) Funds in Response to the Federal Highway Administration's (FHWA's) Rescission Notice** Pg. 81

1. Receive information on rescission notices from the Federal Highway Administration for unobligated federal-aid highway funds.
 2. Approve deprogramming of \$4,287,000 in STP funds and \$3,000,800 in CMAQ funds from programmed projects listed below that have not been delivered in accordance with contractual commitments.
 - a. The El Mirage Road reconstruction project totaling \$1,376,000 in STP.
 - b. The Adelanto/Auburn Jonathan paving project, totaling \$224,000 CMAQ.
 - c. The Needles Highway project, totaling \$1,435,000 in STP.
 - d. The National Trails project, totaling \$1,476,000 in STP. The SANBAG Board allocated funds to the project in January 2001.
 - e. The Upland Metrolink station project, totaling \$2,776,800 in CMAQ.
 3. Direct staff to give these projects renewed priority at such time as they are ready to initiate the next phase of work for which the original allocation was provided, subject to the availability of funds.
- Ty Schuiling**

This item was unanimously recommended for approval by the Plans and Programs Policy Committee on September 9, 2009, and the Mountain/Desert Committee on September 25, 2009. The Mountain/Desert Committee directed that SANBAG's commitment to these projects be strengthened by indicating that they would receive funding priority at such time as they are demonstrably ready to initiate the next phase of work.

11. **Replacement of \$700,000 in American Recovery and Reinvestment Act (ARRA) Transportation Enhancement Activities (TEA) Funds with State Transportation Improvement Program (STIP) TEA funds for the State Route 210/Interstate 15 Interchange Landscape Project, and Reallocation of ARRA TEA Funds** Pg. 84

1. Approve allocation of \$700,000 of STIP TEA funds for the State Route 210/Interstate 15 Interchange Landscape Project utilizing the Community Conservation Corps and the California Conservation Corps (collectively referred to as Corps).
2. Approve reallocation of \$700,000 of ARRA TEA funds as follows:
 - Pacific Electric Trail; City of Fontana, \$300,000
 - Mission Boulevard Landscape Project; City of Montclair, \$300,000
 - Church Street Beautification Project; City of Rancho Cucamonga, \$100,000**Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on September 9, 2009.

Consent Calendar Continued....

Project Development

- 12. Disposition of Property for State Street/University Parkway Grade Separation project in the City and County of San Bernardino** Pg. 87

Approve the transfer of property listed in attached Exhibit A, which were acquired for the State Street/University Parkway Grade Separation Project and are held in the name of San Bernardino County Transportation Commission, to the City and County of San Bernardino, at no cost by quitclaim deeds upon approval of the deeds by SANBAG Legal Counsel. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on September 10, 2009.

- 13. Contract Amendment No. 1 to Contract C09092 with RMC Inc. (RMC) for I-10 Tippecanoe Plans, Specifications, & Estimates (PS&E) Phase engineering services** Pg. 90

Approve Amendment No. 1 to Contract C09092 with RMC Inc. for PS&E engineering services for an additional \$3,947,981 plus \$352,300 for contingencies, increasing the total contract value to \$5,498,765. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on September 10, 2009. SANBAG Counsel has reviewed and approved the amendment as to form.

- 14. I-10 Westbound Widening Construction Management Services** Pg. 152

Award Professional Services Contract No. C10019 in an amount not-to-exceed \$4,381,583 to Athalye Consulting Engineering Services, Inc. for Construction Management, Materials Testing and Construction Surveying services in support of the I-10 Westbound Widening Project. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on September 10, 2009. SANBAG Counsel has reviewed and approved the contract as to form.

Consent Calendar Continued....**Project Development (Cont.)**

- 15. Amendment No. 3 to Contract No. 03-029 with William and Yvonne Cheesman for I-10 Construction field office space** Pg. 223

Approve Amendment No. 3 to Contract No. 03-029 with William and Yvonne Cheesman extending by twenty (20) months the existing lease for construction field office space for the Interstate 10 Westbound Widening project under existing terms. Total cost for this lease extension is \$72,503. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on September 10, 2009. SANBAG Counsel has reviewed and approved the amendment as to form.

Transit/Commuter Rail

- 16. Expansion of Commuter Rail Committee Responsibilities** Pg. 228

1. Approve expansion of the role of SANBAG's Commuter Rail Committee to include policy guidance related to transit services and change the name to Commuter Rail and Transit Committee.

2. Authorize appointment of two additional members representing areas of the Mountain/Desert areas who also serve as members of Mountain/Desert transit boards. **Mitchell Alderman**

This item was reviewed and unanimously recommended for approval by the Commuter Rail Committee on September 10, 2009 and the Mountain/Desert Committee on September 25, 2009.

- 17. Southern California Regional Rail Authority (SCRRA) Fiscal Year 2009/2010 Budget Update and Possible Service Reductions** Pg. 232

Authorize an increase in the SCRRA Fiscal Year 2009/2010 operating subsidy, not to exceed \$350,000 as needed to avoid possible service reductions other than those agreed to by the SCRRA member agencies, for a new total of \$9,704,000. **Mitchell Alderman**

This item was reviewed by the Commuter Rail Committee on September 10, 2009 and unanimously recommended for approval.

Consent Calendar Continued....Transportation Programs & Fund Administration**18. Transportation Development Act (TDA) Award of Article 3
Pedestrian and Bicycle Facilities and Transit Stop Access
Improvement Projects** Pg. 234

1. Approve the award of TDA Article 3 funds for Pedestrian and Bicycle Facilities Projects in the amount of \$2,445,550 to fully fund projects recommended for funding in Attachment A to this item. *In addition, award the remaining \$225,800 to the Pacific Electric Inland Empire Trail Segment 5B on the condition that the City of Fontana submits to SANBAG, within 60 days of the Board of Directors October meeting, a Council-authorized commitment to fully fund the project. Should the City of Fontana not provide this commitment to fully fund Segment 5B, the City of Yucaipa would be awarded \$222,941 for the Yucaipa Blvd. sidewalk project. The City of Yucaipa will then have 45 days to commit the funds. Further, any TDA savings for any of the awarded projects may be applied to the next project on the list.*

2. Approve the award of TDA Article 3 funds for Transit Access Improvement Projects in the amount of \$593,027 as identified in Attachment B.

3. Authorize staff to extend the interval between the Call for Projects from every two years to every three years and set a required completion date for project awarded funding through the call to three years. **Mitchell Alderman**

This item was reviewed by the Plans and Programs Committee on September 9, 2009 and unanimously recommended for approval.

DISCUSSION ITEMS**Program Support/Council of Govts.****19. Mobility 21 Honors Inland Action** Pg. 241

Receive report on 8th Annual Mobility 21 Summit and Award Recipient Inland Action. **Deborah Robinson Barmack**

This item has had no prior policy committee review.

**20. Presentation by Mr. Robert Hooker, Executive Director Inland
Empire Economic Recovery Corporation on Corporation
Activities to Address the Foreclosure Crisis** Pg. 243

Receive and file the report from the Inland Empire Economic Recovery Corporation. **Duane Baker**

This item has not received prior policy committee review.

Discussion Items Continued....

Project Development

21. Informational Presentation on Interstate 215 Corridor Pg. 244

Receive informational presentation on the current progress of the reconstruction and widening of the Interstate 215 Corridor in San Bernardino. **Paula Beauchamp**

This is an informational presentation to the October 7, 2009, Board meeting.

Regional & Quality of Life Programs

22. Update on the development and implementation of Inland Empire 511 Pg. 245

Receive Report and Provide Direction. **Michelle Kirkhoff**

This item and presentation did not receive prior Policy Committee review.

Other Matters

23. Consent Calendar Items Pulled for Discussion

Items pulled from the consent calendar shall be taken under this item in the order they were presented on the calendar.

Comments from Board Members

Brief Comments from Board of Directors

Public Comment

Brief Comments by the General Public

ADJOURNMENT

Additional Information

Agency Reports/Committee Memberships

Commuter Rail Report Pg. 246

Mayor Pro Tem Patricia Gilbreath

South Coast Air Quality Management Report Pg. 249

Mayor Dennis Yates

Mobile Source Air Pollution Reduction Review Committee (MSRC) Pg. 251

Council Member Gwenn Norton-Perry

SCAG Committees

Pg. 256

SCAG Regional Council

SCAG Policy Committees

Community, Economic and Human Development

Energy and Environment

Transportation and Communications

SANBAG Policy Committees

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Acronym List

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Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Meeting Procedures and Rules of Conduct

Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

Accessibility

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at 1170 W. 3rd Street, 2nd Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Agenda Actions – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

Closed Session Agenda Items – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in "Public Testimony on any Item" still apply.*

Disruptive Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

**SANBAG General Practices for Conducting Meetings
of
Board of Directors and Policy Committees**

Basic Agenda Item Discussion.

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on "Request to Speak" forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

The Vote as specified in the SANBAG Bylaws.

- Each member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

Amendment or Substitute Motion.

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

Call for the Question.

- At times, a member of the Board/Committee may "Call for the Question."
- Upon a "Call for the Question," the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair's discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

The Chair.

- At all times, meetings are conducted in accordance with the Chair's direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Board/Committee Chair.

Courtesy and Decorum.

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.



Important Things to Know for...

October 2009

SANBAG Meetings – Cancelled:

None

SANBAG Meetings – Scheduled:

Administrative Committee	Oct. 14	9 a.m.	The Super Chief
Major Projects Committee	Oct. 15	9 a.m.	The Super Chief
Mountain-Desert Committee	Oct. 16	9 a.m.	Town of Apple Valley
Plans and Programming Committee	Oct. 21	12 noon	The Super Chief
Commuter Rail Committee	Oct. 22	12 noon	The Super Chief

Other Meetings/Events:

High Desert Opportunity	Oct. 15	7:30 a.m.	San Bernardino County Fairgrounds, Victorville
Unmet Transit Needs Hearing	Oct. 22	4 p.m.	Twentynine Palms City Hall
California High Speed Rail Authority Public Scoping Meeting	Nov. 2	3:00 p.m.	Ontario Airport
California High Speed Rail Authority Public Scoping Meeting	Nov. 3	3:00 p.m.	San Bernardino Norman Feldheym Library

For additional information, please call SANBAG at (909) 884-8276
